

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE AGFEED INDUSTRIES, INC.
DERIVATIVE LITIGATION

Lead Case No. 3:11-cv-01087

Judge Todd J. Campbell
Magistrate Judge E. Clifton Knowles

**STATUS REPORT AND STIPULATION AND [PROPOSED] ORDER
REGARDING VOLUNTARY DISMISSAL OF ACTION**

In response to the Court's February 11, 2015 Order, Counsel for Plaintiffs Ahmad Arshi, Joshua Miller, Joseph G. Spinella, and William Nix (collectively "Plaintiffs"), along with counsel for defendants John A. Stadler, K. Ivan F. Gothner, David Michael Johnson, Fredric Rittereiser, Arnold Staloff, (collectively "US Defendants") hereby jointly provide this status report and stipulate pursuant to Rule 41(a) of the Federal Rules of Civil Procedure for dismissal of the above-referenced action without prejudice. Counsel for Plaintiffs seeks voluntary dismissal of the action in light of AgFeed's voluntary petition for bankruptcy under Chapter 11 of the United States Bankruptcy Code.

Plaintiffs and Defendants agree that, at all times relevant to this action, the parties and their counsel complied with Rule 11 of the Federal Rules of Civil Procedure and all other rules and laws in connection with this action. Plaintiffs and Defendants further agree that no award of attorneys' fees or costs shall be made to any parties, and that no costs, sanctions, claims, or attorneys' fees arising in or from this action will be pursued by any parties.

Respectfully submitted,

By: /s/ Overton Thompson
Overton Thompson III (TN #011163)

By: /s/ Robert I. Harwood
Robert I. Harwood (*Pro Hac Vice*)

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IT IS SO ORDERED

Dated: February __, 2015

Judge Todd J. Campbell
United States District Judge